May.18. 2004 4:39PM

MAY 1 8 2004

No.0249 P. 4/12



PATENT DANI-0006USCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of: |) | |
|-------------------------|---|--------------------------|
| Margaret KILIBWA |) | Group Art Unit: 1761 |
| |) | |
| Serial No.: 08/796,305 |) | Examiner: Thuy Tran Lien |
| |) | |
| Filed: February 7, 1997 |) | |
| |) | |
| Title: POLYDEXTROSE AS |) | |
| ANTI-STALING AGENT |) | |

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I certify that this document, along with any document referred to as being attached, is being sent via facsimile transmission on May 18, 2004 under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, Mailstop AF, P.O. Box 1450, Alexandria, VA 22313-1450.

EDNA SChmitTINGER

Name of person signing document

Mail Stop AF Commisioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

THIRD AFTER FINAL AMENDMENT

This is a response to the Final Rejection dated May 27, 2003. This response is timely due to the filing of a Notice of Appeal on November 26, 2003, the filing of a petition for a two-month extension of time and payment of the required extension fee on March 10, 2003, and the concurrent filing of petition for an additional two-month extension of time and payment of the required extension fee. This Third After Final Amendment is being submitted in response to a telephone call from the Examiner requesting changes to claim 39, as filed in the prior amendment after final rejection, in order to place the application in condition for allowance. In response to the Final Rejection, please reconsider the rejections therein in light of the amendments and reasoning set forth below.

A complete listing of the pending claims begins on page 2 of this response. Remarks begin on page 8 of this response.

No.0249 P. 1/12

| CERTIFICATE OF Applicant(s). Margaret | FRANSMISSION BY FAC | SIMILE (37 CFR 1.8) | Docket No. DANI-006USCON | | |
|---|-----------------------------------|---|--------------------------|--|--|
| Seríal No 08/796,305 | Filing Date February 7, 1997 | Examiner Thuy Tran Lien | Group Art Unit 1761 | | |
| Invention: POLYDEXTROSE AS ANTI-STALING AGENT RECEIVED | | | | | |
| *** | | | MAY 1 8 2004 | | |
| I hereby certify that this | itted to the United States Patent | Third After Final Amendment (Identify type of correspondence) | OFFICIAL 703-872-9306 | | |
| on May 18, 2 | | and trademant office (Fax. 14 | | | |
| Edna Schmittinger (Typed or Printed Name of Person Signing Certificate) (Signature) | | | | | |
| Note: Each paper must have its own certificate of mailing. | | | | | |
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